

**REMARKS/ARGUMENTS**

Claims 1-21 remain pending in this application with claims 1, 6, 8, 13, 15 and 20 being amended by this response. These claims have been amended for purposes of clarity. Support for these amendments can be found throughout the Specification and more specifically on page 6, lines 15-17; page 9, lines 12-21; page 9, line 33-page 10, line 2; page 12, lines 4-6 and Fig. 6. Thus, Applicant respectfully submits that no new matter is added by the amended claims.

**Rejection of Claims 1, 3-6, 8, 10-13, 15 and 17-20 under 35 U.S.C. 102(b)**

Claims 1, 3-6, 8, 10-13, 15 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Thibadeau et al. (USPN 5,565,909).

The present claimed invention provides a method for controlling a television signal receiver having an emergency alert function. An input representing a geographical area is received. A masked list of user selectable emergency events responsive to the input is provided, wherein the masked list of emergency events represents a subset of all emergency events associated with the emergency alert function excluding masked events associated with the input geographical area. The masked events are set for default notification. Independent claims 1, 8 and 15 include similar features, and are allowable for the reasons presented herein.

In the present claimed invention, the masked list includes the subset of all emergency events that are associated with the emergency alert function responsive to the input representing a geographical area. The masked list excludes “masked events” which are set for default notification. This list may be provided to a user to help him/her choose which emergency events are relevant, while at the same time, the list does not include any “masked events” which are set as default. For example, “ ‘EMERGENCY ACTION NOTIFICATION’ ... is masked since users may not know what this event actually refers to. Accordingly, users may not select this event during the setup process as an event which activates the emergency alert function since they do not know what the event is. However, this event is very important since it would occur if, for example, the United

States was going to war” (Specification, page 10, lines 5-10). Therefore, this masked event is set as a default alert so the user will receive notification related to this event and the masked list does not include this masked event. Thus, the masked list will not include the entire set of emergency events, but rather includes a subset of all emergency events associated with the emergency alert function responsive to the input of a geographical area and excludes the masked events associated with the input geographical area.

Thibadeau describes location specific messages or programming that are generally broadcast and selectively filtered by user terminals which have encoded one or more arbitrary locations of interest. The area surrounding a user, a remote location, a route to be traveled or the like may be selected for receipt of local warnings, local commercial messages, and the like. A set-top receiver being a preferably tunable apparatus capable of receiving digital information transmitted by a variety of means. Transmitted messages contain information targeted to geographical groups of users, with location designation coding accompanying location-specific messages. A geographical location selection code is entered into a data processor coupled to the user’s receiver to define the user’s selected location(s) of interest. The system is especially useful for distributing local commercial messages, hazard warnings, or the like (see Abstract).

The Office Action on page 2 argues that Thibadeau discloses the features of the present claimed invention and cites Col. 3, lines 42-45; Col. 4, lines 4-8; and Col. 4, lines 39-52 of Thibadeau as being equivalent to the present claimed invention. Applicant respectfully disagrees. Thibadeau describes a system which “selectively target[s] geographical areas with messages relevant to that area without requiring complex time or frequency multiplexing. The end users have control of the geographical definition and can arrange to see, store, or otherwise process only messages relevant to selected geographical areas without having to process messages which are outside their area of interest” (Col. 4, lines 44-50). However, Thibadeau, in the above cited passages or anywhere else, does not disclose or suggest “a masked list of user selectable emergency events responsive to the input, wherein the masked list of emergency events represents a subset of all emergency events associated with the emergency alert function excluding

masked events associated with the input geographical area; and setting the masked events for default notification” as recited in claim 1 of the present invention. Thibadeau merely allows a user to **select** a geographical area (see Col. 2, lines 1-6 and Col. 5, lines 24-27). Thibadeau then receives all emergency messages that may be relevant to that area. This is wholly unlike the present claimed invention which receives an input representing a geographical area and provides a masked list of user selectable emergency events, where the masked list of emergency events represents a subset of all emergency events associated with the emergency alert function **excluding** masked events associated with the input geographical area, where the masked events are set for default notification. The present claimed invention recognizes the advantages of providing users with the option to select some emergency alert notifications, while at the same time always providing the users with “masked events” that are set as default notifications so that the user may always be alerted in case of an emergency or catastrophe. There is no U.S.C. 112 complaint enabling disclosure in Thibadeau of “providing a masked list of user selectable emergency events responsive to the input, wherein the masked list of emergency events ... [excludes] masked events associated with the input geographical area; and setting the masked events for default notification” as recited in claim 1 of the present invention.

As described above, the event masking provided by the present claimed invention is beneficial for several reasons. In the present claimed invention “a setup process for the emergency alert function of television signal receiver 20 allows a user to select items such as an applicable geographical area(s), and type(s) of emergency events (e.g., tornado watch, radiological hazard warning, civil emergency, etc.) which activate the emergency alert function. Moreover, for each geographical area certain emergency events may be considered ‘masked events’ and are not provided as user selections during the setup process, but rather are **automatically selected by default**. According to an exemplary embodiment, the emergency alert function is always activated when such masked events occur in their associated geographical area” (Specification, page 6, lines 11-19). Therefore, the present claimed invention provides a masked list which is beneficial to users because it allows users to select which emergency notifications to receive, and at the same time, excludes masked events which are set as defaults so that the users are

always alerted during an emergency situation. This is nowhere shown or suggested by Thibadeau, who merely provides users with all events relevant to a certain geographical area. Thus, Thibadeau neither discloses or suggests “receiving an input representing a geographical area; providing a masked list of user selectable emergency events responsive to the input, wherein the masked list of emergency events represents a subset of all emergency events associated with the emergency alert function excluding masked events associated with the input geographical area; and setting the masked events for default notification” as recited in claim 1 of the present invention. Consequently, it is respectfully requested that the rejection of claim 1 under 35 U.S.C. 102(b) be withdrawn.

Claim 3 is dependent on independent claim 1 and is allowable for the same reasons discussed above regarding claim 1. Claim 3 is also not anticipated by Thibadeau because Thibadeau neither discloses nor suggests “enabling a user to select an emergency event from the masked list of emergency events” as recited in claim 3 of the present invention.

The Office Action cites Col. 4, lines 46-56 of Thibadeau as being equivalent to the features of claim 3 of present claimed invention. Applicant respectfully disagrees. The cited passage, as described above with respect to claim 1, merely describes allowing “[t]he end users [to] have control of the geographic definition and can ... see, store, or otherwise process only messages relevant to selected geographic areas without having to process messages which are outside their area of interest” (Col. 4, lines 46-50). Therefore, Thibadeau allows end users to select which geographical area is important and receive messages according to the selected geographical area. However, nowhere in this cited passage or anywhere else in Thibadeau is there mention or suggestion of “enabling a user to select an emergency event from the masked list of emergency events” as recited in claim 3 of the present invention. This is because Thibadeau does not disclose or suggest a masked list of emergency events that represents a subset of all emergency events and excludes masked events associated with the input geographical area, as in the present claimed invention. Consequently, it is respectfully requested that the rejection of claim 3 under 35 U.S.C. 102(b) be withdrawn.

Claims 10 and 17 are similar in scope to claim 3 and are also allowable for the same reasons discussed above regarding claim 3. Consequently, it is respectfully requested that the rejection of claims 10 and 17 under 35 U.S.C. 102(b) be withdrawn.

Dependent claims 4-6, 11-13 and 18-20 are all dependent on independent claims 1, 8 and 15, respectively, and are allowable for the same reasons as claims 1, 8 and 15. Consequently, it is respectfully requested that rejection of claims 1, 3-6, 8, 10-13, 15 and 17-20 under 35 USC 102(b) be withdrawn.

**Rejection of Claims 2, 7, 9, 14, 16 and 21 under 35 U.S.C. 103(a)**

Claims 2, 7, 9, 14, 16 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thibadeau et al. (USPN 5,565,909), in view of Cragun (USPN 6,177,873).

Cragun describes a weather warning apparatus and associated methods that notify a user when weather alerts are issued according to geographical areas of interest. Weather notification parameters are set by a user. The weather warning apparatus includes a communication link for receiving transmitted alerts, such as weather warnings, watches and statements, civil emergencies and the like. The weather warning apparatus also includes a user interface for selecting geographical areas of interest and weather notification parameters, such as weather events that may be of interest to a user at a desired time of day or time interval. The user's selection of geographic area and weather notification parameters allows the weather warning apparatus to filter out unwanted weather alerts that are outside of the desired geographic area (see Abstract).

As described in the above with respect to claims 1, 8 and 15, Thibadeau does not disclose or suggest the features of the present claimed invention. Additionally, Thibadeau and Cragun, when taken alone or in combination, also do not make the present claimed invention unpatentable.

Cragun “relates to weather warning systems and, more particularly, to a weather radio apparatus and method for providing notification of weather-related events according to geographical and weather warning parameters that are defined by a user” (Col. 1, lines 6-10). Additionally, Cragun, similar to Thibadeau, merely allows users to define geographical areas of interest. This is wholly unlike the present claimed invention which recites “providing a masked list of user selectable emergency events responsive to the input, wherein the masked list of emergency events represents a subset of all emergency events associated with the emergency alert function excluding masked events associated with the input geographical area; and setting the masked events for default notification.”

A combined system formed from Thibadeau and Cragun would provide a signal receiver capable of receiving all emergency notifications. The notifications would be sent according to specific geographical areas. A user can receive all emergency notifications or may choose which notifications he/she wishes to receive on the emergency system. However, the combined system would not provide “controlling a television signal receiver having an emergency alert function, comprising: receiving an input representing a geographical area; providing a masked list of user selectable emergency events responsive to the input, wherein the masked list of emergency events represents a subset of all emergency events associated with the emergency alert function excluding masked events associated with the input geographical area; and setting the masked events for default notification” as recited in the present claimed invention.

The present claimed invention addresses and solves the problems inherent in systems such as Thibadeau and Cragun, when taken alone or in combination in which “the setup process typically requires a user to select one or more types of emergency events which activate the emergency alert function. During the setup process, studies indicate that users tend to not select (e.g., turn off/disable) emergency events they do not understand, or emergency events they believe will seldom occur” (Specification, page 2, lines 6-10). The combined system of Thibadeau and Cragun would encounter these problems because the combined system does not disclose or show the masked list of user

selectable emergency events, where the masked list of emergency events represents a subset of all emergency events associated with the emergency alert function excluding masked events associated with the input geographical area, and where the masked events are set for default notification, as in the present claimed invention. Thus, the combined neither discloses nor suggests “receiving an input representing a geographical area; providing a masked list of user selectable emergency events responsive to the input, wherein the masked list of emergency events represents a subset of all emergency events associated with the emergency alert function excluding masked events associated with the input geographical area; and setting the masked events for default notification” as recited in the present claimed invention.

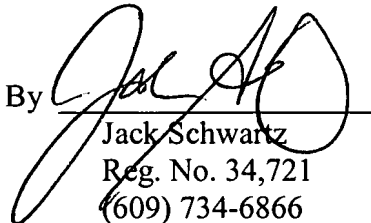
Claims 2, 7, 9, 14, 16 and 21 all include the above features and are allowable for the reasons discussed above. Therefore, Applicant respectfully submits that Thibadeau and Cragun, when taken alone or in combination, do not make the present claimed invention unpatentable. Consequently, it is respectfully requested that the rejection of claims 2, 7, 9 14, 16 and 21 under 35 U.S.C. 103(a) be withdrawn.

Having fully addressed the Examiner’s rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant’s attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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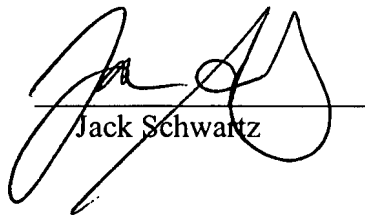
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